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Economic Commission for Europe

Administrative Committee for the TIR Convention, 1975

Seventy-eighth session

Geneva, 12 (p.m.)–13 October 2022

Item 1 of the provisional agenda

Adoption of the agenda

Annotated provisional agenda for the seventy-eighth session***

to be held virtually and in-person at the Palais des Nations, Geneva, 2.30–5.30 p.m. on Wednesday 12 October 2022 and continuing on Thursday 13 October 2022, 10 a.m.–1 p.m. and 3–6 p.m., Room XXI, subject to confirmation.

I. Provisional agenda

1. Adoption of the agenda.
2. Status of the TIR Convention, 1975.
3. Activities and administration of the TIR Executive Board:
 - (a) Activities of the TIR Executive Board:
 - (i) Report by the Chair of the TIR Executive Board;
 - (ii) Election of members of the TIR Executive Board;
 - (iii) International databases and electronic tools managed by the TIR secretariat;
 - (iv) National and regional TIR workshops and seminars.
 - (b) Administration of the TIR Executive Board and the TIR secretariat:
 - (i) Status report on the accounts for the year 2021;

* For reasons of economy, delegates are requested to bring copies of the documents mentioned in this provisional agenda to the meeting. There will be no official documentation available in the meeting room. Before the meeting, missing documents may be obtained directly from the ECE Sustainable Transport Division (Fax: +41-22-917-0039; email: wp.30@un.org). Documents may also be downloaded from the ECE Border Crossing Facilitation website www.unece.org/trans/bcf/welcome.html.

** The full text of the TIR Convention, 1975, as well as a complete list of contracting parties to the TIR Convention, are available on the ECE website: www.unece.org/trans/conventn/legalinst.html#customs. Delegates are requested to register online at: uncdb.unece.org/app/ext/meeting-registration?id=2DFPAV at the latest one week prior to the session. All in-person attending delegates (including those holding long-duration badge), should register through INDICO badge system: <https://indico.un.org/event/1000533/> and obtain an identification badge at the UNOG Security and Safety Section, located at the Pregny Gate (14, Avenue de la Paix). In case of difficulty, please contact by telephone the ECE secretariat (internal extension 75975). For a map of the Palais des Nations and other useful information, see website www.unece.org/meetings/practical.html.



- (ii) Interim financial statement for the year 2022;
 - (iii) Procedure for financing the operation of the TIR Executive Board and TIR secretariat;
 - (iv) Survey on customs claims;
 - (v) Budget proposal for the year 2023.
4. Revision of the Convention:
- (a) Amendment proposals to the Convention transmitted by the Working Party;
 - (b) Amendment proposals to the Convention transmitted by the TIR Executive Board;
 - (c) Accepted amendment proposals to the Convention pending formal adoption.
5. eTIR.
6. Authorization for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system:
- (a) Prolongation of the authorization;
 - (b) Audit report for the year 2021.
7. Authorization to conclude an agreement between the United Nations Economic Commission for Europe and the International Road Transport Union.
8. Other business:
- (a) Date of next session;
 - (b) Restriction on the distribution of documents;
 - (c) List of decisions.
9. Adoption of the report.

II. Annotations

1. Adoption of the agenda

The Committee may wish to consider and adopt the agenda of the session (ECE/TRANS/WP.30/AC.2/158). The Committee will be informed that, according to Annex 8, Article 6 of the TIR Convention, 1975, "a quorum consisting of not less than one-third of the States which are contracting parties is required for the purpose of taking decisions". The number of States which are contracting parties to the convention is seventy-six.

Documentation

ECE/TRANS/WP.30/AC.2/158

2. Status of the TIR Convention, 1975

The Committee will be informed about changes in the status of the Convention and in the number of contracting parties. The Committee may wish to be informed that the TIR Convention has seventy-seven contracting parties and that the TIR system is operational in sixty-five countries. In particular, the Committee may wish to be informed that, since its previous session, the Secretary-General of the United Nations, acting in his capacity as depositary, issued, on 1 April 2022, depositary notification C.N.91.2022.TREATIES-XI.A.16, informing that, by 25 March 2022, none of the contracting parties to the TIR Convention had communicated an objection to the proposed amendments to Article 18 and Annexes 1 and 6 of the Convention. Consequently, in accordance with the provisions of Article 59 (3) of the Convention, the amendments entered into force on 25 June 2022. With the entry into force of these amendments, the number of places of loading and unloading per

TIR transport has increased from four to, maximally, eight. The lay-out of the TIR Carnet, Version 1 and Version 2, has been adjusted accordingly. More detailed information on the status of the Convention and on depositary notifications is available on the TIR website.¹

3. Activities and administration of the TIR Executive Board

(a) Activities of the TIR Executive Board

(i) Report by the Chair of the TIR Executive Board

In accordance with Annex 8, Article 11, paragraph 4 of the Convention and in line with the decision of the Committee (TRANS/WP.30/AC.2/55, paras. 14 and 15), the secretariat has reproduced the reports of the TIR Executive Board (TIRExB) at its ninetieth (October 2021) and ninety-first (February 2022) sessions, for information and endorsement by the Committee (ECE/TRANS/WP.30/AC.2/2022/6 and ECE/TRANS/WP.30/AC.2/2022/7). More information about recent activities of TIRExB as well as about various considerations and decisions taken at its ninety-second (June 2022) and ninety-third (October 2022) sessions will be provided orally by the Chair of TIRExB.

Under this agenda item, the Committee may also wish to take note of the prices of TIR Carnets for the years 2012 to 2022, as communicated to TIRExB per the requirements of Annex 9, Part I, paragraph 3 (vi) of the TIR Convention, and the analysis of the 2022 prices, as contained in document ECE/TRANS/WP.30/AC.2/2022/17.

Documentation

ECE/TRANS/WP.30/AC.2/2022/6, ECE/TRANS/WP.30/AC.2/2022/7,
ECE/TRANS/WP.30/AC.2/2022/17

(ii) Election of members of the TIR Executive Board

In accordance with Annex 8, Article 9, paragraph 2 of the Convention, the term of office of each member of TIRExB shall be two years. Since the present members of TIRExB have been elected at the Committee's session in February 2021, the Committee must, at its next session (9 February 2023) proceed with the election or re-election of the nine members of TIRExB. To ensure efficient voting at its session on 9 February 2023, the Committee may wish to take a decision regarding the election procedure, which, so far, has been based on the following provisions: (a) the comment adopted on 26 June 1998 to the Rules of Procedure of TIRExB on "representation", with the exception of paragraph (c) as its provisions relate only to the initial election of Board members and are, thus, no longer appropriate (TRANS/WP.30/AC.2/51, Annex and Corr.1); (b) the procedure for the election of members of TIRExB, adopted on 26 February 2000 by the Committee (TRANS/WP.30/AC.2/53, paras. 31 and 34). In addition, for the sake of transparency, the Committee decided, at its seventy-fourth session (October 2016), to apply Rule 42 of the Rules of Procedure of the United Nations Economic Commission for Europe (ECE), which stipulates that "all elections shall be decided by secret ballot, unless, in the absence of any objection, the Commission decides to proceed without taking a ballot on an agreed candidate or slate", even in the case the number of nominated candidates equals the number of available posts (see ECE/TRANS/WP.30/AC.2/131, para. 12). Once a decision on the election procedure is taken, the Committee may wish to authorize the ECE secretariat to issue, in November 2022, a document recalling the approved election procedures and soliciting candidates willing to stand for election as members of TIRExB for the term 2023–2024. The deadline by which nominations would need to be received by the ECE secretariat is 13 December 2022, midnight, CET. No further candidates may be nominated following expiry of this deadline. On 15 December 2022, the ECE secretariat will circulate a list of candidates who have been nominated by their respective governments or organizations, being contracting parties to the Convention.

¹ www.unece.org/tir/tir-depositary_notification.html.

Considering the current, hybrid, format of the session of AC.2, the Committee is invited to provide guidance to the secretariat on how to conduct the elections on 9 February 2023.

(iii) International databases and electronic tools managed by the TIR secretariat

The Committee will be informed about developments related to the International TIR Data Bank (ITDB) and other information technology projects managed by the TIR secretariat, if any.

(iv) National and regional TIR workshops and seminars

The Committee will be informed about TIR workshops and seminars conducted and/or planned, if any.

(b) Administration of the TIR Executive Board and the TIR secretariat

(i) Status report on the accounts for the year 2021

In accordance with Annex 8, Article 11, paragraph 4 of the Convention, TIRExB shall submit audited accounts to the Committee at least once a year or at the request of the Committee. The Committee may wish to note that the competent Finance Services of the United Nations have formally finalized the accounts for 2021. The Committee will be invited to formally approve the status report on the accounts for 2021, as contained in document ECE/TRANS/WP.30/AC.2/2022/8.

Documentation

ECE/TRANS/WP.30/AC.2/2022/8

(ii) Interim statement for the year 2022

In line with standing practice, the Committee may wish to take note of the provisional interim statement for 2022, as contained in document ECE/TRANS/WP.30/AC.2/2022/9.

Documentation

ECE/TRANS/WP.30/AC.2/2022/9

(iii) Procedure for financing the operation of the TIR Executive Board and TIR secretariat

Under this agenda item, the Committee is invited to formally take note of the audit certificate of 2021, as contained in document ECE/TRANS/WP.30/AC.2/2022/10 and note the number of TIR Carnets distributed in 2021 (709,181) as well as resulting deficit (SwF 86,029). In this context, the Committee may wish to recall that, at its seventy-seventh session (February 2022), it had, tentatively, decided to reflect this amount in the amount per TIR Carnet in 2023 in order to clear the above-mentioned deficit, pending the availability of the audit report as official document at the current session (see ECE/TRANS/WP.30/AC.2/157, para. 18).

In addition, the Committee may wish to recall the procedure for the collection and transfer of the amount per TIR Carnet to finance the operation of the TIRExB and the TIR secretariat (ECE/TRANS/WP.30/AC.2/145, para. 57 and ECE/TRANS/WP.30/AC.2/2019/24, Annex II), according to which:

"...

(8) IRU² maintains a separate account detailing the number of TIR Carnets distributed and the related amounts referred to in Annex 8, Article 13, paragraph 1 received;

(9) The IRU independent external auditor produces an audit certificate providing an opinion of the above-mentioned account for the year in question showing the amount transferred and the total amount actually invoiced (15 January);

² International Road Transport Union

- (10) The difference between the two amounts will need to be adjusted a posteriori;
- (11) On the basis of the above-mentioned audit certificate, if the amount invoiced was more than initially transferred by IRU, the Administrative Committee, at its spring session, will be informed and IRU shall transfer the excess to the UNECE named bank account (before 15 March). This amount will be reflected in the UNECE TIR accounts to be taken into account for the next budget year;
- (12) On the basis of the above-mentioned audit certificate, if the amount invoiced was less than initially transferred by IRU, the Administrative Committee will reflect this amount in the amount per TIR Carnet to be applied in the next budget year to compensate the difference and ensure the financing of the operation of TIRExB and the TIR secretariat. If the amount invoiced is less than initially transferred by IRU to ensure the funding of the operation of TIRExB and the TIR secretariat for the last year of the ECE/IRU agreement, or on the termination of the same, the difference will be absorbed by IRU without recourse."

Documentation

ECE/TRANS/WP.30/AC.2/2022/10

(iv) Survey on customs claims

Pursuant to its mandate to supervise the operation of the guarantee system (Annex 8, Article 10, paragraph (a)), TIRExB, at regular intervals, conducts a survey on the status of customs claims in all TIR contracting parties. As part of its activities for the 2021–2022 term of office, TIRExB launched the survey for the years 2017–2020. The Committee might wish to consider the consolidated results of the survey as contained in document ECE/TRANS/WP.30/AC.2/2022/18. In this context, the Committee might wish to recall that, for every claims survey, TIRExB is obliged to instruct the TIR secretariat to send numerous reminders to obtain replies and that, despite those reminders, still not all contracting parties feel compelled to respond. Consequently, the Committee is invited to urge contracting parties, once more, to respond timely to future claims surveys to ensure their relevance as a supervisory tool for TIRExB.

Documentation

ECE/TRANS/WP.30/AC.2/2022/18

(v) Budget proposal for the year 2023

With reference to the procedure for the collection and transfer of the amount per TIR Carnet to finance the operation of TIRExB and the TIR secretariat (ECE/TRANS/WP.30/AC.2/145, para. 57 and ECE/TRANS/WP.30/AC.2/2019/24, Annex II), the Committee may wish to recall the following steps:

- (a) The ECE secretariat prepares a budget proposal for the operation of TIRExB and the TIR secretariat, based on activity-based budgeting principles (August);
- (b) TIRExB establishes the budget proposal (September);
- (c) The ECE secretariat prepares a document comprising the budget proposal established by TIRExB for approval by the TIR Administrative Committee and sends a copy thereof to IRU for information (September);
- (d) The ECE secretariat requests IRU to provide an operational forecast of the number of TIR Carnets it expects to distribute in the forthcoming year (September);
- (e) IRU provides the TIR Administrative Committee with its forecast of the number of TIR Carnets it expects to distribute in the forthcoming year, for the consideration of the latter (September-October);
- (f) The TIR Administrative Committee approves the budget and the net amount to be transferred by IRU and takes note of the forecast established by IRU. The TIR Administrative Committee shall approve the amount per TIR Carnet, as referred to in Annex 8, Article 13, paragraph 1, taking into account the calculation by the ECE secretariat on the basis of the forecast provided by IRU (September-October);

(g) IRU transfers the net amount approved by the Committee to the ECE named bank account (mid-November).

The Committee will be informed about the activities of the ECE secretariat and IRU under items (a) – (e). Under item (f), the Committee will be invited to approve the budget and cost plan for the operation of TIRExB and the TIR secretariat for the year 2023 as well as the net amount to be transferred by IRU, as contained in document ECE/TRANS/WP.30/AC.2/2022/15. The Committee may also wish to take note of the forecast of the number of TIR Carnets IRU expects to distribute in 2023 (Informal document WP.30/AC.2 (2022) No. 7). The Committee may wish to approve the amount per TIR Carnet, taking into account the calculation by the ECE secretariat, which will be expressed in Swiss francs following the transfer of the above amount to the ECE named bank according to the prevailing United States dollar – Swiss franc exchange rate on the day of the transfer.

Documentation

ECE/TRANS/WP.30/AC.2/2022/15; Informal document WP.30/AC.2 (2022) No. 7

4. Revision of the Convention

(a) Amendment proposals to the Convention transmitted by the Working Party

Under this agenda item, the Committee may wish to take note that, for the time being, no amendment proposals have been transmitted by the Working Party for consideration.

(b) Amendment proposals to the Convention transmitted by the TIR Executive Board

The Committee may wish to recall that, at its seventy-sixth session (October 2021), it considered document ECE/TRANS/WP.30/AC.2/2021/4 by IRU, presenting an analysis of the messages exchanged in the framework of the eTIR specifications, but could not reach agreement, due to the technical nature of the issues at stake. It requested the secretariat to transmit the document to the Technical Implementation Body (TIB) for further assessment, inviting the Turkish delegation, which stressed the need for full compliance of the proposal with the provisions of the TIR Convention, as well as others, to submit their comments to the secretariat no later than by 7 November 2021, so that they could be transferred to TIB for consideration. TIB was requested to transmit its findings to the Committee for final approval, including, potentially, issues of a legal nature that needed to be addressed by the Committee itself (see ECE/TRANS/WP.30/AC.2/155, paras. 21 and 22). At the previous session of the Committee (February 2022), the Chair of TIB briefed the Committee about its findings on this issue. The Committee took note that TIB had considered the creation of an additional pair of messages which would allow the platform, used by associations to issue eGuarantees, to ensure that the holder is authorized prior to the issuance of eGuarantees. TIB had decided that the inclusion of a new pair of messages is feasible and makes sense from a technical perspective. TIB had requested the secretariat to transmit these findings to AC.2. Regarding the question raised by Turkey who should be registering eGuarantees, issued by national associations in line with the provision of Article 6, paragraph 3 of the TIR Convention, in the eTIR international system, TIB decided that, before being in a position to propose a technical solution, the issue, because of its legal nature, should be transmitted back to AC.2. TIB recommended that AC.2 could, possibly, seek prior consideration by TIRExB before taking a final decision on both matters. AC.2 agreed with this recommendation and requested TIRExB to assess the legal aspects of the issue and provide its considerations to AC.2 at one of its future sessions. In its intervention under this agenda item, the delegation of IRU explained that its proposal does not imply any changes in the roles of either IRU or its member associations, as had already been clarified at the previous session of AC.2. IRU and its TIR national associations exchange data on TIR Carnets and eGuarantees in full respect of the TIR Convention (see ECE/TRANS/WP.30/AC.2/157, para. 23 and 24).

The Committee may wish to be informed by the Chair of TIRExB about the assessment of the legal aspects of who should/could register eGuarantees, if any.

The Committee may wish to take note that, for the time being, no further amendment proposals have been transmitted by TIRExB for consideration.

(c) Accepted amendment proposals to the Convention pending formal adoption

The Committee may wish to take note that, for the time being, there are no outstanding accepted amendment proposals pending formal adoption by the Committee.

5. eTIR

The Committee will be informed about the latest developments in the field of computerization of the TIR procedure (eTIR). In particular:

(a) the latest developments of the eTIR international system and the ongoing eTIR interconnection projects;

(b) the outcome of the second session of TIB, which took place on 30 August–2 September 2022 (ECE/TRANS/WP.30/AC.2/TIB/4). In that context, the Committee may wish to take note of the revised version 4.3 of the introduction of the eTIR specifications, as contained in documents ECE/TRANS/WP.30/AC.2/TIB/2022/2/Rev.1–ECE/TRANS/WP30/AC.2/2022/11/Rev.1 (introduction), ECE/TRANS/WP.30/AC.2/TIB/2022/3/Rev.1–ECE/TRANS/WP30/AC.2/2022/12/Rev.1 (eTIR concepts), ECE/TRANS/WP.30/AC.2/TIB/2022/4–ECE/TRANS/WP30/AC.2/2022/13 (eTIR functional specifications) ECE/TRANS/WP.30/AC.2/TIB/2022/5–ECE/TRANS/WP.30/AC.2/2022/14 (technical specifications).

Documentation

ECE/TRANS/WP.30/AC.2/TIB/4; ECE/TRANS/WP.30/AC.2/TIB/2022/2/Rev.1–
ECE/TRANS/WP30/AC.2/2022/11/Rev.1; ECE/TRANS/WP.30/AC.2/TIB/2022/3/Rev.1–
ECE/TRANS/WP30/AC.2/2022/12/Rev.1; ECE/TRANS/WP.30/AC.2/TIB/2022/4/Rev.1–
ECE/TRANS/WP30/AC.2/2022/13/Rev.1; ECE/TRANS/WP.30/AC.2/TIB/2022/5/Rev.1–
ECE/TRANS/WP.30/AC.2/2022/14/Rev.1

6. Authorization for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system**(a) Prolongation of the authorization**

The Committee may wish to recall that, at its previous session, it formally decided to prolong the authorization of IRU for printing and distributing TIR Carnets and the organizing and functioning of the guarantee system, for a period of 3 years (2023–2025) (ECE/TRANS/WP.30/AC.2/157, para. 35).

(b) Audit report for the year 2021

The Committee may wish to recall that, pursuant to Annex IV of the agreement between ECE and IRU, IRU shall annually issue an audit report and management letter concerning the records and accounts kept by IRU pertaining to the organization and functioning of the international guarantee system and the printing and distribution of TIR Carnets.

The Committee is invited to consider, at its present session, document ECE/TRANS/WP.30/AC.2/2022/16 by IRU, containing the audit report and management letter for the year 2021.

Documentation

ECE/TRANS/WP.30/AC.2/2022/16

7. Authorization to conclude an agreement between the United Nations Economic Commission for Europe and the International Road Transport Union

The Committee may wish to recall that, at its previous session, it adopted document ECE/TRANS/WP.30/AC.2/2022/4, containing the draft ECE/IRU agreement for the years 2023–2025. The Committee mandated the secretariat to conclude the new agreement with a view to continue financing the operation of TIRExB and the TIR secretariat as of the year 2023, subject to official confirmation, at the current session, of the required adjustments to Annex 1 to the said agreement with the budget proposal and cost plan figures for the year 2023 (ECE/TRANS/WP.30/AC.2/157, para. 40).

Documentation

ECE/TRANS/WP.30/AC.2/2022/4

8. Other business

(a) Date of next session

The ECE secretariat has made tentative arrangements to hold the seventy-ninth session of the Committee in the week of 6–10 February 2023, subject to potential adjustments due to the ongoing United Nations liquidity crisis.

(b) Restriction on the distribution of documents

The Committee may wish to decide whether there should be any restriction on the distribution of documents issued in connection with its current session.

(c) List of decisions

The secretariat will prepare a list of draft decisions that will be circulated among delegations prior to the session. The list of adopted decisions will be attached to the final report.

9. Adoption of the report

In accordance with Annex 8, Article 7 of the convention, the Committee will adopt the report of its seventy-eighth session on the basis of a draft prepared by the secretariat.
